

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WISCONSIN**

UNITED STATES SECURITIES
AND EXCHANGE COMMISSION,

Plaintiff,

V.

EDWARD S. WALCZAK,

Defendant.

Case No. 3:20-cv-00076 (WMC)

JOINT MOTION TO AMEND PRETRIAL SCHEDULING ORDER

Plaintiff Securities and Exchange Commission (the “SEC”) and Defendant Edward Walczak (“Walczak”) hereby jointly move this Court to amend the scheduling order previously entered on May 4, 2020 (Docket No. 15), which set, among other pretrial dates, expert discovery to close on September 3, 2021 and dispositive motions due by October 1, 2021.

The parties request an extension of the expert discovery deadline from September 3, 2021 to October 4, 2021, and a corresponding one-month extension of the dispositive motions deadline from October 1, 2021 to November 1, 2021. (The parties previously requested and the Court granted an extension of the fact discovery deadline to September 3, 2021. *See* Docket No. 19.)

In support of this Motion, the parties state that the deposition of Mr. Walczak, noticed for June 24, 2021, was postponed last week due to a family emergency of his lead counsel, and certain depositions have needed to be scheduled later than originally anticipated due to, among other reasons, the witnesses' involvement in a multi-week arbitration proceeding. Accordingly, in order to allow time for expert consideration of such testimonies in advance of the exchange of

expert reports, and similarly for expert discovery to conclude in advance of the filing of dispositive motions (if any), the parties hereby jointly and respectfully request a one-month extension of both the expert discovery cutoff and the dispositive motion deadline.

Respectfully submitted,

June 28, 2021

<u>/s/ Michael D. Foster</u> Michael D. Foster (fostermi@sec.gov) Jake Schmidt (schmidtj@sec.gov) David Benson (bensond@sec.gov) 175 W. Jackson Blvd., Suite 1450 Chicago, IL 60604 Telephone: (312) 353-7390 Attorneys for Plaintiff Securities and Exchange Commission	<u>/s/ James L. Kopecky</u> James Kopecky (jkopecky@ksrlaw.com) Kopecky Schumacher Rosenburg LLC 120 N. LaSalle St., Suite 2000 Chicago, IL 60602 Telephone: (312) 380-6552 Zachary Ziliak Ziliak Law, LLC 141 W. Jackson Blvd., Suite 4048 Chicago, IL 60604 Telephone: (312) 462-3350 Attorneys for Defendant Edward Walczak
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